

**MINUTES OF THE JONESTOWN CITY COUNCIL REGULAR MEETING HELD
FEBRUARY 14, 2008, 7:30 P.M. AT THE CITY COUNCIL CHAMBERS 18649 FM 1431,
SUITE 3-A, JONESTOWN, TEXAS**

A. ITEMS OPENING MEETING:

1. CALL TO ORDER

MAYOR ARMSTRONG

Mayor Armstrong called the meeting to order at 7:30 p.m.

She asked for a moment of silence in respect for the recent passing of Marji Smith's father.

2. ROLL CALL

CITY SECRETARY

Upon roll call, the following members were present: Alderman Walker, Alderman MacMicking, Alderman Nichols, Mayor Armstrong, Mayor Pro Tem Buckle and Alderman Aaron. A quorum was present.

3. APPROVAL OF MINUTES

January 10, 2008 Regular Meeting

Alderman Walker made a motion to approve the minutes of the January 10th meeting. Mayor Pro Tem Buckle seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Walker, Alderman MacMicking, Alderman Nichols, Mayor Pro Tem Buckle and Alderman Aaron. No: None. Abstain: None. Motion carried unanimously.**

January 24, 2008 Special Called Meeting

Alderman MacMicking made a motion to approve the minutes of the January 24th meeting. Alderman Aaron seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman MacMicking, Alderman Nichols, Mayor Pro Tem Buckle and Alderman Aaron. No: None. Abstain: Alderman Walker. Motion carried unanimously.**

4. REPORTS FROM COMMUNITY ORGANIZATIONS AND OTHER ENTITIES

a. ESD#1.

Mayor Armstrong announced that ESD has just received a grant from the federal government of \$85,000.

b. Sonny Ponce, PEC District Service Supervisor

J.P. Faught and Pete Brooks were present from PEC. Mr. Faught made the report and presented the quarterly franchise check. He mentioned that PEC has a new manager, Juan Garza and Mr. Garza plans to bring in a new assistant manager.

5. COUNCIL COMMENTS ON DEPARTMENT REPORTS

a. Parks and Recreation

Alderman MacMicking asked that the City Administrator pass on her appreciation to Lina Wintz and whoever else is responsible for the work on the monument sign. She said it looks much better now.

Alderman Aaron asked that Lina also be commended on the progress she has made in the containment of the oak wilt.

b. Finance Department/Municipal Court

Mayor Pro Tem Buckle asked a question about the investment report and discussed it with Karin Parish. Alderman Walker asked a question on the revenue and expense report and said that he would like an exception report summary of the budget. Alderman Nichols and Alderman MacMicking agreed. Alderman Nichols asked for items to be broken out if they are greater than the percentage we are expecting and Mayor Pro Tem Buckle asked for an alert if any item is going to have a major effect on the city's finances. Karin said that she will need to do a separate report, since the software we use won't do the kind of report desired.

c. Public Works Department

d. Library

e. Building Department

Alderman Walker asked if the building activity is going according to what we expected. City Administrator Dodson said that permits are down but lots are being sold and prepared for building, so we may make our revenue projections. Alderman Nichols mentioned that Centex paid in advance for infrastructure inspections so it already showed up in the reports.

f. Code Enforcement

Jim Conatser was present and reported that the city-wide cleanup starts next weekend. They had to break up the city and have two weekends based on the last clean up. He said that if there's some confusion people should look at the sign that goes into their neighborhood. He said that IESI will pick up brush also.

g. Police Department

Mayor Armstrong asked Chief Stetar if he wanted to comment on the recent activity in the city. Chief Stetar said that they have been busy with a number of car burglaries and have made some arrests and it will be on the next report.

Alderman Walker asked about the warrant program and City Administrator Dodson asked the Chief to discuss it. Chief Stetar said that Jonestown is taking part in the Great Texas Warrant Roundup and his officers and the court are working with the other agencies.

Alderman Nichols asked that the warrant list be broken out into years to see where the dollars break down. City Administrator, Dan Dodson suggested that they also be broken down by type of warrants to judge the practicality of hiring a warrant officer. Mayor Pro Tem Buckle asked about the notification and the chief explained that most of those people who don't pay their fines are not from the area, and he tries to work with other agencies. There was more discussion about the collection rate and how Jonestown compares to other agencies.

B. CITIZEN COMMUNICATIONS

Carl Joiner announced that he is running for Constable, Precinct #2 and gave a short speech.

C. GENERAL BUSINESS AND ACTION ITEMS:

1. Report from Keith Neffendorf on the audit for FY 2006/2007.

Keith Neffendorf gave a report on the audit. He discussed the report with Council. Since the item has no action language, the approval of the audit will be on the next agenda.

2. Report from Jim Conatser, Chairman of the Facilities Committee.

Mayor Armstrong complimented Mr. Conatser and the other committee members for their good work. Jim Conatser made a report on the committee's recommendations for the police building. (The report is a part of the minutes.) He discussed sections of the report with Council and Chief Stetar. He asked for Council to expedite the process since Mr. Burns can get started right away if the city moves fast. Mr. Conatser asked to have Council task the committee to plan for the maintenance building upgrade after the police building project is finished by the committee.

Mayor Armstrong stated that, based on the recommendation of the Facilities Committee, and unless otherwise objected to, I would like to instruct the city administrator to begin the implementation of these recommendations and return any items requiring Council action to us at our February 28th Council meeting or subsequent Council meetings as necessary. Alderman MacMicking commended the committee on the work they've done and on the quality of the committee members. Mayor Pro Tem Buckle complemented them also and said that the committee's work is a perfect example of getting citizens involved in the process and saving the city expense and time. The entire Council voiced their praise of the committee.

3. Appointment of Alternate to the Board of Adjustments: Mayor's nominee – Paul Dertien.

Alderman Walker made a motion to appoint Paul Dertien as an alternate member of the Board of Adjustments. Alderman Aaron seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Walker, Alderman MacMicking, Alderman Nichols, Mayor Pro Tem Buckle and Alderman Aaron. No: None. Abstain: None. Motion carried unanimously.**

Mayor Armstrong administered the oath of office to Mr. Dertien.

4. Discussion and possible action to approve a request from Texas Cold Fusion Sizzler to use the streets of Ranchland Hills Subdivision for a skate board event.

Jason Bortolussi talked to Council about the group and their plans. Issues brought up by Council members were the City's risk of liability, the disruption of the residential neighborhood with the participants, observers, parking and restroom facilities on public and private property, the developer's opposition to the event, and the event popularizing the use of the streets for other skateboarders. City Attorney Saenz pointed out that there isn't really an entity to contract with and to take responsibility.

Webster Veade, representing Lighthouse Estates, spoke in opposition to the event and asked the Council to turn them down.

Alderman Aaron made a motion to approve the request from Texas Cold Fusion Sizzler to use the streets of Ranchland Hills Subdivision for a skate board event. Alderman MacMicking seconded the motion.

During discussion Alderman MacMicking said it would be an opportunity if media was there to showcase Jonestown. Alderman Nichols agreed that there are things we want to promote but he was not sure this is the one. With the potential of liability and the issue with the developer or owners of the lots, it goes beyond what we should be doing. Mayor Pro Tem Buckle agreed that it was not a good idea in a private subdivision and was not a benefit to the community. Alderman Aaron said it could be a good idea if it was in a public park and would generate revenue. **Upon roll call the vote was as follows: Yes: None. No: Alderman Aaron, Mayor Pro Tem Buckle, Alderman Nichols, Alderman MacMicking and Alderman Walker. Abstain: None. Motion failed unanimously.**

5. Discussion and possible action on a resolution calling for a general election and establishing the procedure for the election for city officers (Alderman, places 3, 4 & 5) to be held on May 10, 2008.

Mayor Pro Tem Buckle made a motion to approve a resolution calling for a general election and establishing the procedure for the election for city officers (Alderman, places 3, 4 & 5) to be held on May 10, 2008. Alderman Aaron seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Buckle, Alderman Nichols, Alderman MacMicking, and Alderman Walker. No: None. Abstain: None. Motion carried unanimously.**

Alderman Walker left the meeting.

6. a. Public Hearing to consider a request by Gerald and Judy Seim, owners of part of Tract 31, Panoramic Hills, located along Mountain Top Circle, north of FM 1431, in the City of Jonestown's Extraterritorial Jurisdiction, for approval of a resubdivision of Tract 31, including the following variances from the Code of Ordinances:
 - 1) 94.020(b) - Lot 1 width is less than 150 feet.
 - 2) 92.045(b)(9) - Lot 1 frontage on a usable, dedicated public road right-of-way of less than 150 feet.

- 3) 92.045(b)(8) - The ratio of average depth to average width for lots exceeding two and one-half to one (2.5:1).
- 4) 94.020(b) - Lot 1 area of less than one (1) acre.

The property owners were present. Vince Huebinger, with Verizon explained the request to Council. He stated that the tower was built in 1996 and now Verizon wants to buy the property so that they can lease out space on it to other providers, which made the subdivision process necessary. He discussed the request with Council. There was discussion about the existing tower, the history of the property sales and the need to legally subdivide to sell the property and the need for restricting the use if the subdivision is approved.

b. Discussion and possible action of the above resubdivision.

Mayor Pro Tem Buckle made a motion to table the item until the February 28th meeting and ask that the requestor bring a set of restrictive covenants on the property, for the existing use, in favor of the city, back at that meeting. Alderman MacMicking seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Buckle, Alderman Nichols, and Alderman MacMicking. No: None. Abstain: None. Motion carried unanimously.**

7. a. Public hearing of a request by Joey Sisca for a site development plan for his property located at 19101 FM 1431.

Joey Sisca was present to explain his request. Mayor Armstrong explained the process that included the recent rezoning of the property and now the site development plan. She asked Mr. Sisca if he is all up to date with what the court and the code enforcement office required and was told that he is.

There were no comments from the citizens on this request. Alderman MacMicking made a motion to close the public hearing. Alderman Nichols seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman MacMicking, Alderman Nichols, Mayor Pro Tem Buckle and Alderman Aaron. No: None. Abstain: None. Motion carried unanimously.**

b. Discussion and possible action on the above site development plan.

Alderman MacMicking made a motion to approve a request by Joey Sisca for a site development plan for his property located at 19101 FM 1431. Alderman Nichols seconded the motion. During discussion, Alderman Aaron asked about Mr. Sisca's plans for buildings on the property and discussed the issue with him. **Upon roll call the vote was as follows: Yes: Alderman MacMicking, Alderman Nichols, Mayor Pro Tem Buckle and Alderman Aaron. No: None. Abstain: None. Motion carried unanimously.**

8. Discussion and possible action to approve the warranty deed for the city's monument sign property and authorize the mayor to sign the document.

Alderman MacMicking made a motion to approve the warranty deed for the city's monument sign property and authorize the mayor to sign the document. Alderman Nichols seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman MacMicking, Alderman Nichols, Mayor Pro Tem Buckle and Alderman Aaron. No: None. Abstain: None. Motion carried unanimously.**

9. **EXECUTIVE SESSION.** a. Convene into executive session pursuant to Section 551.072, to deliberate the purchase or value of real properties.

At 9:26 p.m. Mayor Armstrong announced that Council would convene into executive session in the City Administrator's office.

- b. Reconvene into open session to take action as deemed appropriate regarding the purchase or value of real properties.

Mayor Armstrong reconvened the open session at 9:44 p.m. Alderman Nichols made a motion to authorize the City Administrator to develop an earnest money contract for the property in reference and bring that back to the Council at the February 28th meeting for our discussion and action. Mayor Pro Tem Buckle seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman MacMicking, Alderman Nichols, Mayor Pro Tem Buckle and Alderman Aaron. No: None. Abstain: None. Motion carried unanimously.**

D. ADJOURNMENT

Mayor Armstrong adjourned the meeting at 9:45 p.m.

PASSED AND APPROVED AT A REGULAR MEETING HELD ON MARCH 13, 2007.

Deane Armstrong, Mayor
City of Jonestown

ATTEST:

Linda Hambrick, City Secretary